

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE CORPORATION  
SECURITIES LITIGATION

Civ. No. 03-12628 -NG

**ASSENTED-TO MOTION FOR LEAVE TO FILE  
PLAINTIFF'S REPLY MEMORANDUM IN SUPPORT OF  
PLAINTIFF'S MOTION TO AMEND THE COMPLAINT**

The Plaintiff, with the assent of the Defendants, respectfully moves this Court for leave, under Local Rule 7.1(b)(3), to submit the accompanying Plaintiff's Reply Memorandum In Support Of Plaintiff's Motion To Amend The Complaint (the "Reply Memorandum"). As grounds for this motion, the Plaintiff states as follows:

1. Plaintiff's Motion To Amend The Complaint is, practically speaking, being thoroughly briefed by both sides as if it were a motion to dismiss the Proposed Second Consolidated Amended Complaint.
2. The Reply Memorandum includes analysis and citation to additional legal authority which will assist the Court in resolving the issues raised by Plaintiff's Motion For Leave To Amend The Complaint.
3. Counsel for Defendants assents to the relief sought by this Motion.

WHEREFORE, the Plaintiff respectfully requests that this Assented To Motion For Leave To File Plaintiff's Reply Memorandum In Support Of Plaintiff's Motion To Amend The Complaint And For Leave To Exceed Page Limit be granted.

Dated: January 27, 2006

Respectfully submitted,

**SHAPIRO HABER & URMY LLP**

**/s/Edward F. Haber**

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**Co-Lead Counsel For  
Lead Plaintiff and The Class**

**Certification of Compliance with Local Rule 7.1(A)(2)**

I hereby certify that the parties' counsel conferred in a good faith effort to narrow or resolve the issues raised in this motion. Counsel for Defendants assents to the relief sought by this motion.

**/s/ Edward F. Haber**

Edward F. Haber

**Certificate of Service**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as nonregistered participants on the 27th day of January, 2006.

**/s/ Edward F. Haber**

Edward F. Haber